

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Final Office Action dated January 1, 2007, has been received and its contents carefully reviewed.

Claims 4-12 are canceled without prejudice or disclaimer. Claims 13 and 15 are currently amended. Applicants respectfully request the objection to claim 13 be withdrawn.

In the office action, the Examiner rejects claims 13-15 as being unpatentable over Martensson in view of Piacente. The Examiner acknowledges that Martensson does not disclose or suggest “a surface texture that varies in accordance with the visual pattern”. The Examiner cites Piacente as disclosing this feature.

Applicant respectfully disagrees. None of the cited references, including Martensson or Piacente disclose a “laminated material” having “a surface texture that varies in accordance with the visual pattern”. Piacente notes that it “require[s] a foamable layer, as in the case of the method aspects or a foamed layer, as in the case of the product aspects. The foamable compositions and layers of the present invention are characterized by an ability to produce, after appropriate foaming steps, a blown or foamed, cellular structure” (Piacente, col. 3, lines 47-52). Piacente goes on to describe the foamable layers contemplated by its invention: “the foamable layer of the present invention preferably comprises a foamable composition containing polyvinyl chloride (PVC) resin, and even more preferably a foamable PVC plastisol composition” (Piacente, col. 3, lines 55-59).

Thus, Piacente is not directed to “laminated floor board comprising cellulose sheets” as recited in claim 13. Furthermore, the structures in Piacente, including foamable compositions and layers and PVC resin are not cellulose sheets. Piacente is not directed to laminate floor boards of the present invention nor is it directed to the laminate floor boards of Martensson. The

structures and processes for achieving the surface characteristics of the products in Piacente are not applicable to the laminates of Martensson, nor could the structures of Piacente be applied to Martensson without considerable an undue experimentation, if at all. Thus, it is not possible to combine Piacente and Martensson to achieve laminate floor boards having the features recited in claims 13-15.


Accordingly, Applicant respectfully submits that claims 13-15 are allowable over the cited references, and that furthermore the application is in condition for allowance.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: April 1, 2008

Respectfully submitted,

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